

10/511882

Rec'd PCT/PTO 19 OCT 2004

PATENT  
DKT. NO.: SONN:057USDECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or the below named inventors are the original, first and joint inventors (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **USE OF A MARE'S MILK CONCENTRATE DRIED ON A HIGHLY-DISPERSED, BIOLOGICALLY INERT MATRIX**, the Specification of which:

- ☒ is attached hereto.  
☐ was filed on \_\_\_\_\_ as Application Serial No. \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent, United States provisional application(s), or inventor's certificate listed below and have also identified below any foreign application for patent, United States provisional application, or inventor's certificate having a filing date before that of the application on which priority is claimed:

PRIORITY APPLICATION(S)			Priority Claimed
A 640/2002	Austria	April 25, 2002	YES
(Number)	(Country)	(Date Filed)	Yes/No
(Number)	(Country)	(Date Filed)	Yes/No

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below or any PCT international application(s) designating the United States listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application or PCT international application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose all information known to me to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56, which become available between the filing date of the prior application and the national or PCT international filing date of this application:

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(Application Serial No.) (Filing Date) (Status)

(Application Serial No.) (Filing Date) (Status)

I hereby direct that all correspondence and telephone calls be addressed to Mark B. Wilson, Fulbright & Jaworski L.L.P., 600 Congress Avenue, Suite 2400, Austin, Texas, 78701, (512) 536-3035.

I HEREBY DECLARE THAT ALL STATEMENTS MADE OF MY OWN KNOWLEDGE ARE TRUE AND THAT ALL STATEMENTS MADE ON INFORMATION AND BELIEF ARE BELIEVED TO BE TRUE; AND FURTHER THAT THESE STATEMENTS WERE MADE WITH THE KNOWLEDGE THAT WILLFUL FALSE STATEMENTS AND THE LIKE SO MADE ARE PUNISHABLE BY FINE OR IMPRISONMENT, OR BOTH, UNDER SECTION 1001 OF TITLE 18 OF THE UNITED STATES CODE AND THAT SUCH WILLFUL FALSE STATEMENTS MAY JEOPARDIZE THE VALIDITY OF THE APPLICATION OR ANY PATENT ISSUED THEREON.

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Inventor's Full Name:	KUKLINSKI	Bodo
Inventor's Signature:	<i>Bodo Kuklinski</i>	
Country of Citizenship:	DE Rostock	Date: 14.09.04
Residence Address: (street, number, city, state, and/or country)	Wielandstrasse 7, D-18055 Rostock, Germany <i>De</i>	
Post Office Address: (if different from above)		

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Inventor's Full Name:	SCHIEFER	Raimund
Inventor's Signature:	<i>Raimund Schiefer</i>	
Country of Citizenship:	AT	Date: 20.9.04
Residence Address: (street, number, city, state, and/or country)	St. Leonhardgasse 122A, A-5580 Tamsweg, Austria <i>AX</i>	
Post Office Address: (if different from above)		

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Inventor's Full Name:	MARKOLIN	Gertrude
Inventor's Signature:	<i>Gertrude Markolin</i>	
Country of Citizenship:	AT	Date: 20.09.2004
Residence Address: (street, number, city, state, and/or country)	Tischlerbühel 31, A-5571 Mariapfarr, Austria <i>ATX</i>	
Post Office Address: (if different from above)		

400

Inventor's Full Name:	KÖSSLER	Peter
Inventor's Signature:	<i>Peter Kössler</i>	
Country of Citizenship:	AT	Date: 20.09.2004
Residence Address: (street, number, city, state, and/or country)	Bruckdorf 219, A-5571 Mariapfarr, Austria <i>ATX</i>	
Post Office Address: (if different from above)		

500

Inventor's Full Name:	FUCHS	Norbert
Inventor's Signature:	<i>Norbert Fuchs</i>	
Country of Citizenship:	AT	Date: 20.09.2004
Residence Address: (street, number, city, state, and/or country)	Bruckdorf 219, A-5571 Mariapfarr, Austria <i>ATX</i>	
Post Office Address: (if different from above)		

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**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:  
Bodo KUKLINSKI *et al.*

Serial No.: To be assigned

Filed: Concurrently Herewith

For: USE OF A MARE'S MILK CONCENTRATE  
DRIED ON A HIGHLY-DISPERSED,  
BIOLOGICALLY INERT MATRIX

Group Art Unit: Unknown

Examiner: Unknown

Atty. Dkt. No.: SONN:057US

<u>EXPRESS MAIL MAILING LABEL</u>	
NUMBER	EV 326409011 US
DATE OF DEPOSIT	October 19, 2004

**DESIGNATION OF PATENT PRACTITIONERS NAMED  
IN THE POWER OF ATTORNEY**

**MAIL STOP PCT**

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

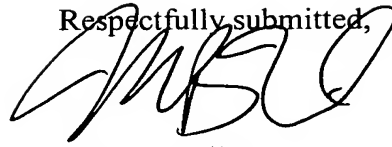
Sir:

This paper is submitted to identify which patent practitioners named in the attached Power of Attorney are to be recognized by the Office as being of record in the above-captioned application. The following ten (10) patent practitioners listed in the attached Power of Attorney should be designated as being of record in this application:

David D. Bahler, Reg. No. 30,932;  
Christopher R. Benson, Reg. No. 31,941;  
David L. Parker, Reg. No. 32,165;  
Mark B. Wilson, Reg. No. 37,259;  
Steven L. Highlander, Reg. No. 37,642;

Robert E. Hanson, Reg. No. 42,628;  
Michael C. Barrett, Reg. No. 44,523;  
Mark T. Garrett, Reg. No. 44,699;  
Gina N. Shishima, Reg. No. 45,104;  
Michael R. Krawzsenek, Reg. No. 51,898

Respectfully submitted,



Mark B. Wilson

Reg. No. 37,259

Attorney for Applicant

(Customer No. 32425)  
FULBRIGHT & JAWORSKI L.L.P.  
600 Congress Avenue, Suite 2400  
Austin, Texas 78701  
512.536.3035 (voice)  
512.536.4598 (fax)

Date: October 19, 2004

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## PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

## In re Application of:

Bodo KUKLINSKI et al.

Serial No.: To be assigned

Filed: October 19, 2004

For: USE OF A MARE'S MILK CONCENTRATE  
DRIED ON A HIGHLY-DISPERSED,  
BIOLOGICALLY INERT MATRIX

Group Art Unit: Unknown

Examiner: Unknown

Atty. Dkt. No.: SONN:057US

**ELECTION UNDER 37 C.F.R. §§ 3.71 AND 3.73**  
**AND POWER OF ATTORNEY**

Commissioner for Patents  
Washington, D.C. 20231

## Commissioner:

The undersigned, being Assignee of record of the entire interest ~~in the above-identified application by virtue of an assignment recorded in the United States Patent and Trademark Office as set forth below, hereby elects, under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventors~~ ~~in the above-identified application by virtue of an assignment recorded in the United States Patent and Trademark Office as set forth below, hereby elects, under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventors~~ [inventors].

The Assignee hereby revokes any previous Powers of Attorney and appoints:

Louis T. Pirkey, Reg. No. 22,393; David D. Bahler, Reg. No. 30,932; Christopher R. Benson, Reg. No. 31,941; David L. Parker, Reg. No. 32,165; Richard J. Groos, Reg. No. 32,231; William G. Barber, Reg. No. 33,154; Michael S. Metteauer, Reg. No. 34,875; Mark B. Wilson, Reg. No. 37,259; Daniel J. Brennan, Reg. No. 37,287; Steven L. Highlander, Reg. No. 37,642; Stephen P. Meleen, Reg. No. 40,724; Robert E. Hanson, Reg. No. 42,628; Thomas M. Boyce, Reg. No. 43,508; Michael C. Barrett, Reg. No. 44,523; Mark T. Garrett, Reg. No. 44,699; Gina N. Shishima, Reg. No. 45,104; Charles P. Landrum, Reg. No. 46,855; Priya D. Subramony, Reg. No. 50,939; Evelyn Y. Chen, Reg. No. 51,550; Michael R. Krawzsenek, Reg. No. 51,898; and Luiz H. Von-Paumgarten, Reg. No. 52,330;

each an attorney or agent of the firm of FULBRIGHT & JAWORSKI L.L.P., as its attorney or agent for so long as they remain with such firm, with full power of substitution and revocation, to prosecute the application, to make alterations and amendments therein, to transact all business in the Patent and Trademark Office in connection therewith, and to receive any Letters Patent, and for

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one year after issuance of such Letters Patent to file any request for a certificate of correction that may be deemed appropriate.

Pursuant to 37 C.F.R. § 3.73, the undersigned has reviewed the evidentiary documents, specifically the Assignment to **NUTROPIA ERNÄHRUNGSMEDIZINISCHE FORSCHUNG GMBH**, referenced below, and certifies that to the best of my knowledge and belief, title remains in the name of the Assignee.

Please direct all communications as follows:

Mark B. Wilson  
FULBRIGHT & JAWORSKI L.L.P.  
600 Congress Avenue, Suite 2400  
Austin, Texas 78701  
512.536.3035

**ASSIGNEE: NUTROPIA  
ERNÄHRUNGSMEDIZINISCHE  
FORSCHUNG GMBH**

Typed Name

By:

Name: Norbert FUCHS

Peter KÖSSLER

Title: CEO

CEO

Date:

10-09-2004

**ASSIGNMENT:**

☒ Concurrently filed

☐ Previously recorded

Date: \_\_\_\_\_

Reel: \_\_\_\_\_

Frames: \_\_\_\_\_

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